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PTO/SB/04 (10-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
12084.PCT.US

First named inventor: Jonathan Sidney EDELSON

Application No.: 10/511,935

Art Unit: 2837

Filed: October 19, 2004

Examiner: Bentsu RO

Title: Mesh Connected Brake Array for Electrical Rotating Machines

**Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300**

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity-fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Other than small entity – fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

- ☐ has been filed previously on 06/19/2006 TL0111 00000001 10511935
☐ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ 1000

- ☐ has been paid previously on _____
☒ is enclosed herewith.

01 FC:2453

750.00 OP

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/84 (10-05)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.


Signature

June 16, 2006

Date

Jonathan Sidney EDELSON

Typed or printed name

Registration Number, if applicable

37 Kidder Avenue, Sommerville, MA 02144-2005

Address

(503) 621-3286

Telephone Number

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: _____

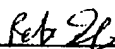
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

06/16/2006

Date



Signature

Robert Flye

Typed or printed name of person signing certificate

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Application No. : 10/511,935
Applicant : Jonathan Sidney EDELSON
Filed : October 19, 2004
Title : Mesh Connected Brake Array for Electrical Rotating Machines
Docket No. : 12084.PCT.US
Confirmation No : 2032

TC/A.U. : 2837
Examiner : Bentsu RO

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Faxed: June 16, 2006

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Statement Establishing Unintentional Abandonment and**Delay in filing a Petition under 37 CFR 1.137(b)**

Sir:

Applicant contends that the application identified above was unintentionally abandoned and herein files this Statement in support of a Petition for Revival under 37 CFR 1.137(b).

Applicant received a Notice of Abandonment mailed April 17, 2006 that stated that abandonment was due to Applicant's failure to timely pay the required issue fee and publication fee within the statutory period of three months from the mailing date of the Notice of Allowance which was September 30, 2005.

Payment instructions for payment by Credit Card were submitted on December 14, 2005, for the issue fee of \$700, and the publication fee of \$300, totaling \$1000.

Applicant has now examined the data on PAIR for this application and discovered that the forms were timely received, the credit card transaction was declined, and apparently attempts by the USPTO to contact the Applicant on December 20, 2005, were unsuccessful because the telephone did not work. Applicant finds this difficult to believe and was unaware of any

06/19/2006 TL0222 00000004 10511935

01 FC:2501
02 FC:1504700.00 OP
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Application Number 10/511,935

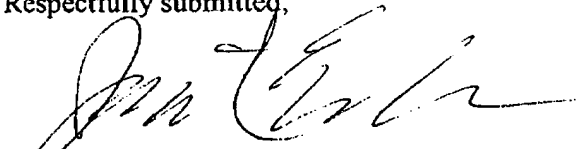
Amendment dated May XX, 2006

Statement Establishing Unintentional Abandonment and Delay in filing a Petition under 37 CFR 1.137(b)

telephone faults on this day. No further attempts were made by the USPTO to contact the Applicant.

Applicant asserts therefore that he made every effort to timely pay the issue fee and publication fee.

Respectfully submitted,



Jonathan Sidney EDELSON
Inventor